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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/077,337 05/27/98 DRUMMOND

J D1077

EXAMINER

TM02/0619

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BERGIN, J
ART UNIT

PAPER NUMBER

2164
DATE MAILED:

06/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/077,337	DRUMMOND ET AL.	
	Examiner	Art Unit	
	James S. Bergin	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) 1-30, 32-34, 36, 37, 39, 40, 42, 43, 46 and 47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31, 35, 38, 41, 44, 45 and 48-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input checked="" type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <u>15</u> . |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group III, (claims 31, 35, 38, 41, 44 and 45) in Paper No. 14 is acknowledged. Newly added claims 48-54 will be examined with the elected group III. All other claims are withdrawn from examination at this time, including claims 1-30, 32-34, 36, 37, 39, 40, 42, 43, 46 and 47. Although the non-elected Claims 2, 3 and 21-24 were previously indicated as containing potentially allowable subject matter in paper 8, this indication of allowability is withdrawn upon further consideration by the examiner.

2. The applicant's traversal is on the ground(s) that unity of invention does exist between the groups. This is not found persuasive because the technical feature linking the groups comprises only that which was already known to those of ordinary skill in the art at the time that the invention was made (consult reference U, "US Bancorp, Microsoft Paving New Roads to On-line Banking" on the PTO-892 accompanying this paper, and reference V, "SUN TOUTS ONE-BROWSER THEORY" on the same PTO-892, as a indication of the level of knowledge in the art prior to the applicant's invention). The linking technical feature does not advance the level of knowledge in the art at the time that the invention was made and therefore does not comprise a linking special technical feature. Thus unity of invention does not exit. The groupings of the claims arrived at by the examiner is at the discretion of the examiner, the groups being selected so as to reduce the examination burden to an acceptable level.

The requirement is still deemed proper and is therefore made FINAL.

Priority

3. If applicant desires priority under 35 U.S.C. 119 (e) based upon a previously filed copending application, specific reference to the earlier filed application must be made in the instant application. This should appear as the first sentence of the specification following the title, preferably as a separate paragraph.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 31, 35, 38, 41, 44, 45 and 48-54** are rejected under 35 U.S.C. 103(a) as being unpatentable over "US BANCORP, MICROSOFT PAVING NEW ROADS TO ON-LINE BANKING" (hereinafter referred to as US BANKER) on PTO-892 accompanying this action.

US BANKER discloses an automated banking machine comprising a PC running a web browser, wherein the customers remotely access the on-line bank through the internet browser. US BANKER further discloses, *"It goes beyond simply using software as a pipeline to basic ATM-like services. Instead, it aspires to make a full-service branch available in the home through the PC including the option of a live teller through two-way, full motion video giving customers access to everything except maybe safe deposit boxes. Customers would enter the on-line bank through an internet browser. They would then be able to apply for and check various accounts (not just basic savings*

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and checking), download cash and make deposits. The vision is that the customer would be able to do everything on-line that they can now do in a branch.....and that's much broader than what traditionally has been delivered over an automated teller machine or telephone".

The web browser interface of the PC in US BANKER is the means by which and through which the user interfaces with and remotely accesses the on-line bank to perform any of a myriad of banking functions.

US BANKER does not specifically mention that the customer's automated banking machine PC has a sheet dispenser mechanism operatively responsive to receipt of at least one HTML format document by the browser, so as to dispense at least one sheet from the automated banking machine PC.

Regarding **claims 31, 44, 51 and 52**, the examiner takes official notice that it was known even to computer novices at the time that the invention was made that web browsers read web pages and are capable of receiving HTML format documents, and that HTML documents can contain embedded instructions therein such as applets. It was also well known that PC's commonly have printers for dispensing printed material of various types including documents or notes, such a printer being a sheet dispenser for selectively dispensing sheets or notes.

It would have been obvious to one of ordinary skill in that art at the time that the invention was made, to select the well known HTML format as the web page format at the user browser interface of the US BANKER PC, such HTML web pages controlling the functioning of any and all of the myriad of banking functions of the US BANKER PC

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including the function of dispensing of at least one sheet or note from a printer associated with the PC. Such a selection of HTML format documents containing embedded instructions therein such as applets, would involve technology that even a computer novice was familiar with at the time that the invention was made.

Regarding claims 35, 38, 41, 45, 48-50, 53 and 54, it is noted that US BANKER does not specifically disclose that the system can be used in an ATM machine to remotely access the on-line bank.

The examiner repeats the taking of official notice as outlined above and additionally takes official notice that ATM machines remotely accessing banking systems were well known to the general citizenry at the time that the invention was made. It was further well known by those citizens that ATM machines have card readers for reading ATM cards and the indicia thereon so as to allow the user to access and interface with one of the myriad functions of an ATM machine including the dispensing of cash therefrom.

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to use US BANKERS remote access browser software and system, including HTML pages containing embedded dispensing instructions therein, in the computer of a regular ATM machine rather than a home PC, so as to increase on-line banking access to the citizens that did not have a home PC. Such a modified ATM would of course retain its card reader for reading ATM cards and the indicia thereon so as to allow the user to access and interface through the browser with one of the myriad functions of the ATM machine including the dispensing of cash therefrom.

Conclusion

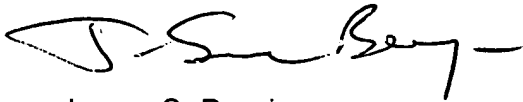
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. "Microsoft banks on electronic transactions", Network World; Framingham; May 13, 1996; Fogarty, Kevin discloses Microsoft enhancing its world wide web browser to support automatic teller machine-like transactions across the internet; "SUN TOUTS ONE-BROWSER THEORY", Retail Delivery Systems News, v1, n14, July 5, 1996, discloses banks using a Java applet residing in a browser providing a link between a bank and an ATM machine.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Bergin whose telephone number is 703 308-8549. The examiner can normally be reached on Monday-Thursday 8.30-6.00 and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703 308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308-1396 for regular communications and 703 308-1396 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-3900.



James S. Bergin

June 15, 2001



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100